

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

-----X	:	
NATURAL RESOURCES DEFENSE	:	
COUNCIL, INC.,	:	NOTICE OF MOTION
	:	
Plaintiff,	:	08 Civ. 2443 (DLC)
	:	
- v. -	:	ECF Case
	:	
UNITED STATES ENVIRONMENTAL	:	
PROTECTION AGENCY,	:	
	:	
Defendant.	:	
-----X		

Pursuant to Rule 56 of the Federal Rules of Civil Procedure, Plaintiff Natural Resources Defense Council, Inc. hereby moves this Court for an order awarding Plaintiff partial summary judgment granting Plaintiff a public interest fee waiver under the Freedom of Information Act, 5 U.S.C. § 552(a)(4)(A)(iii). For the reasons set forth in the accompanying motion papers, there are no genuine issues of material fact in dispute and Plaintiff is entitled to judgment as a matter of law. In support of this motion, Plaintiff submits the accompanying memorandum of law, a statement of material facts as to which there is no genuine issue, the Declaration of Aaron Colangelo, and Exhibits A through D annexed thereto.

Dated: June 3, 2008
Washington, DC

Respectfully submitted,

s/
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